

### **REMARKS**

By this response, claims 1-11 are pending. Claims 1 and 4 are amended while all others remain as originally presented or are canceled. Substantively, all claims stand rejected as anticipated under 35 U.S.C. §102(b) in view of Kobayashi et al. (U.S. 2002/0044184) or as obvious under 35 U.S.C. §103(a) in view of Kobayashi and Matsuzaki (U.S. 6,416,152). In some instances, the claims are rejected in further view of Ujita (U.S. 2002/0158949).

Preliminarily, the Applicant re-submits the information of the January 20, 2004 Supplemental IDS as an attachment hereto. It is believed the Examiner's objections are overcome. Namely, the information submitted for consideration by the Examiner is: (1) listed; (2) listed in a section dedicated to its content and separate from any U.S. patents and publications; (3) listed with the application number being on each page of the list; (4) listed with a blank space for the Examiner's initials next to each item to be considered; and (5) listed with a heading clearly indicating all items are part of the IDS. *See, e.g., 37 CFR 1.98(a)(1).*

Turning to the rejections, the Examiner rejects all independent claims as anticipated by Kobayashi or as obvious in view of Kobayashi in combination with Matsuzaki. Neither, however, teach the invention as described below and cannot be said to anticipate or render obvious. In turn, the Applicant respectfully requests reconsideration.

On the one hand, Kobayashi indeed teaches a label 150 for positioning on a printhead lid with an air diffusion vent 116. *E.g., Figures 9 and 11; and paragraphs [0103] and [0110].* On the other hand, it nowhere teaches the label being "positioned over an entirety of at least one" air diffusion vent as in the Applicant's independent claims 1 and 4. Rather, Kobayashi's entire description on the matter simply states "a vent hole 115 is formed in the upper cover 11, and a meandering air-releasing channel 116 continuing to the vent hole 115 is also formed therein. A re-releasable film 150 is attached to an outer surface of the upper

cover . . .;” and “an upper cover 11A in an upper surface of which a plurality of air vent holes 115A and air-releasing channels 116A are formed to the upper surface of which a film 150a can be attached.” *Paragraphs [0103] and [0110]*. Nowhere does the description teach nor the figures show a single air-releasing channel 115 with an “entirety” covered by a label, such as the film 150. This hardly then renders the claim anticipated. In fact, for any of Kobayashi’s printheads to operate, the air-releasing channels must be vented to atmosphere during use, thereby teaching other than an entirety being covered by a label. Keep in mind, the instant invention prevents any operation of the air diffusion vent completely covered by the label. In this fashion, many vents can be formed in a single, reproducible lid for multiple different styles of printheads, but one or more vents might be closed off from atmosphere during use, and rendered inoperable, by positioning the label over an entirety of at least one vent. Nowhere does Kobayashi hint at this. Also, claims 1 and 4 are amended to better reflect the notion that a label is positioned over an entirety of at least one air diffusion vent “during use.”

In Matsuzaki, a sealing film 52 is found covering an entire air diffusion groove 28 and attendant holes and ports 28a and 26, during shipping (not during use). *Figures 9A, 9B*. Then, upon use, a user rips the film tab 52c to expose a portion of the groove 28 and the hole 28a. *Figure 9c*. However, independent claim 5 recites label “placement” positions where “all” or a number “less than all” of the air diffusion vents communicate with atmosphere.<sup>1</sup> In comparison to Matsuzaki, Figures 9a and 9b are the only two figures showing a film “placement” position and in these figures “none” of the air diffusion grooves are able to communicate with atmosphere. This then hardly reads on the claims having features where

---

<sup>1</sup> Independent claim 7 alternatively claims the label placement positions such that “none” or “some” of the air diffusion are “substantially prevented from being in fluid communication with atmosphere.”

all or a number less than all indeed communicate with atmosphere. In Figure 9c, Matsuzaki teaches a label "removed" or "destroyed" position. Yet, this does not read on the claims for want of a "placement" position. In other words, a destroyed or removed position of Matsuzaki is not the position in which the label was placed. In fact, it is a lack of position because no label exists when it is removed. Also, the entirety of Figures 9a-9c teach a "single" predetermined label "placement" position. That is, label 52 is only found in one position upon placement. The claims (e.g., 5-11), in contrast, require "at least two predetermined label placement positions." For at least these reasons the claims are submitted as allowable and reconsideration is requested.

The remaining claims are submitted as patentable for their dependence on a base, independent claim described above. Also, a detailed discussion of Ujita is not required because all of the independent claims stand or fall on the Examiner's characterization of Koboyashi and/or Matsuzaki. In turn, the dependent claims can stand or fall on the teaching of both references.

For at least these reasons, the Applicant submits that all claims are in a condition for allowance and requests a timely Notice of Allowance be issued for same. *To the extent any fees are due, although none are believed due, the undersigned authorizes their deduction from Deposit Account No. 11-0978.* If any other matters require attention, please have the Examiner contact the undersigned representative.

Respectfully submitted,

**KING & SCHICKLI, PLLC**

A handwritten signature in black ink, appearing to read "Michael T. Sanderson", written in a cursive style.

Michael T. Sanderson  
Reg. No. 43,082

Application Serial No. 10/720,353  
Amendment dated April 17, 2006  
Reply to Office Action of February 13, 2006

247 North Broadway  
Lexington, Kentucky 40507  
(859) 252-0889

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,  
Date

4/17/06 